

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:)
)
Phillip C. Rhodes) Case No. 19-24823 CMB
Allison M. Rhodes,) Chapter 13
Debtor(s))
)
)
Phillip C. Rhodes)
Allison M. Rhodes,)
Movant(s))
)
vs.)
)
No Respondent(s))
)

AMENDMENT COVER SHEET

Amendment(s) to the following petition, list(s), schedule(s), or statement(s) are transmitted herewith:

Specify reason for amendment. The Debtors are amending their Schedules B and C to add the Husband Debtor's inheritance from the Thomas Stewart Estate in the amount of \$3,550.00. The Husband Debtor is claiming an exemption under 11 U.S.C. § 522(d)(5).

Voluntary Petition.
 Official Form 6 Schedules (Itemization of Changes Must be Specified)
 Summary of Schedules
 Schedule A – Real Property
 Schedule B - Personal Property
 Schedule C – Property Claimed as Exempt
 Schedule D – Creditors holding Secured Claims}
Check one:
 Creditor(s) added
 NO creditor(s) added
 Creditor(s) deleted
 Schedule E – Creditors Holding Unsecured Priority Claims
Check one:
 Creditor(s) added
 NO creditor(s) added
 Creditor(s) deleted

Schedule F – Creditors Holding Unsecured Nonpriority Claims

Check one:

Creditor(s) added
 NO creditor(s) added
 Creditor(s) deleted

Schedule G – Executory Contracts and Unexpired Leases

Check one:

Creditor(s) added
 NO creditor(s) added
 Creditor(s) deleted

Schedule H – Codebtors

Schedule I - Current Income of Individual Debtor(s)

Schedule J- Current Expenditures of Individual Debtor(s)

Statement of Financial Affairs

Chapter 7 Individual Debtor's Statement of Intention

Chapter 11 List of Equity Security Holders

Chapter 11 List of Creditors Holding 20 Largest Unsecured Claims

Disclosure of Compensation of Attorney for Debtor

Other:

NOTICE OF AMENDMENT(S) TO AFFECTED PARTIES

Pursuant to Fed.R.Bankr.P. 1009(a) and Local Rule 1009-1, I certify that notice of the filing of the amendment(s) checked above has been given this date to the U.S. Trustee, the trustee in this case and to entities affected by the amendment as follows:

Service by CM/ECF:

Office of the United States Trustee: ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour: Trustee cmevf@chapter13trusteewdpa.com

Date: November 3, 2021

/s/ Christopher M. Frye

Christopher M. Frye, Esquire
Attorney for the Debtor(s)

STEIDL & STEINBERG

Suite 2830 – Gulf Tower

707 Grant Street

Pittsburgh, PA 15219

(412) 391-8000

chris.frye@steidl-steinberg.com

PA I.D. No.208402

Fill in this information to identify your case and this filing:

Debtor 1	Phillip C. Rhodes		
	First Name	Middle Name	Last Name
Debtor 2	Allison M. Rhodes		
(Spouse, if filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF PENNSYLVANIA</u>			
Case number	<u>19-24823</u>		

Check if this is an amended filing

Official Form 106A/B

Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

No. Go to Part 2.
 Yes. Where is the property?

1.1

1434 Greystone Drive

Street address, if available, or other description

Pittsburgh PA 15206-0000
City State ZIP Code

Allegheny

County

What is the property? Check all that apply

Single-family home
 Duplex or multi-unit building
 Condominium or cooperative
 Manufactured or mobile home
 Land
 Investment property
 Timeshare
 Other _____

Do not deduct secured claims or exemptions. Put the amount of any secured claims on Schedule D: Creditors Who Have Claims Secured by Property.

Current value of the entire property? \$370,000.00 Current value of the portion you own? \$370,000.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entirety, or a life estate), if known.

Tenants by the entirety

Check if this is community property (see instructions)

Who has an interest in the property? Check one

Debtor 1 only
 Debtor 2 only
 Debtor 1 and Debtor 2 only
 At least one of the debtors and another

Other information you wish to add about this item, such as local property identification number:

Debtors acquired the property by deed in 2000.

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here.....=>

\$370,000.00

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on Schedule G: Executory Contracts and Unexpired Leases.

Debtor 1 Phillip C. Rhodes
Debtor 2 Allison M. Rhodes

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3. Cars, vans, trucks, tractors, sport utility vehicles, motorcycles

No
 Yes

3.1 Make: **Mazda**
 Model: **3**
 Year: **2012**
 Approximate mileage: **100,000**

Other information:
**Location: 1434 Greystone Drive,
Pittsburgh PA 15206**
**Value determined by NADA
listing**

Who has an interest in the property? Check one

Debtor 1 only
 Debtor 2 only
 Debtor 1 and Debtor 2 only
 At least one of the debtors and another
 Check if this is community property
(see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on Schedule D: Creditors Who Have Claims Secured by Property.

Current value of the entire property?	Current value of the portion you own?
\$3,100.00	\$3,100.00

3.2 Make: **FIAT**
 Model: **500**
 Year: **2012**
 Approximate mileage: **40,000**

Other information:
**Location: 1434 Greystone Drive,
Pittsburgh PA 15206**
**Value determined by NADA
listing**

Who has an interest in the property? Check one

Debtor 1 only
 Debtor 2 only
 Debtor 1 and Debtor 2 only
 At least one of the debtors and another
 Check if this is community property
(see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on Schedule D: Creditors Who Have Claims Secured by Property.

Current value of the entire property?	Current value of the portion you own?
\$4,537.00	\$4,537.00

4. Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories

Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

No
 Yes

5 Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here.....=>

\$7,637.00

Part 3: Describe Your Personal and Household Items

Do you own or have any legal or equitable interest in any of the following items?

**Current value of the
portion you own?**
 Do not deduct secured
claims or exemptions.

6. Household goods and furnishings

Examples: Major appliances, furniture, linens, china, kitchenware

No
 Yes. Describe.....

Normal household goods and furnishings
Summary available upon request
Location: 1434 Greystone Drive, Pittsburgh PA 15206

\$2,000.00

7. Electronics

Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games

No
 Yes. Describe.....

Debtor 1 Phillip C. Rhodes
Debtor 2 Allison M. Rhodes

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Electronics Summary available upon request Location: 1434 Greystone Drive, Pittsburgh PA 15206	\$2,000.00
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8. Collectibles of value

Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles

No
 Yes. Describe.....

9. Equipment for sports and hobbies

Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

No
 Yes. Describe.....

Bicycle Location: 1434 Greystone Drive, Pittsburgh PA 15206	\$200.00
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Gyro Helicopter Location: 1434 Greystone Drive, Pittsburgh PA 15206	\$3,000.00
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10. Firearms

Examples: Pistols, rifles, shotguns, ammunition, and related equipment

No
 Yes. Describe.....

11. Clothes

Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories

No
 Yes. Describe.....

Clothing Location: 1434 Greystone Drive, Pittsburgh PA 15206	\$2,000.00
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12. Jewelry

Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver

No
 Yes. Describe.....

Jewelry Location: 1434 Greystone Drive, Pittsburgh PA 15206	\$2,000.00
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13. Non-farm animals

Examples: Dogs, cats, birds, horses

No
 Yes. Describe.....

1 dog Location: 1434 Greystone Drive, Pittsburgh PA 15206	\$0.00
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14. Any other personal and household items you did not already list, including any health aids you did not list

No
 Yes. Give specific information.....

Debtor 1 Phillip C. Rhodes
Debtor 2 Allison M. Rhodes

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15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here

\$11,200.00

Part 4: Describe Your Financial Assets

Do you own or have any legal or equitable interest in any of the following?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

16. Cash

Examples: Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition

No

Yes.....

Cash	\$300.00
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17. Deposits of money

Examples: Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.

No

Yes.....

Institution name:

17.1. Checking	Citizens Bank	\$100.00
17.2. Checking	Citizens Bank	\$30.00
17.3. Checking	PNC Bank	\$3,218.00
17.4. Checking	Key Bank	\$55.00

18. Bonds, mutual funds, or publicly traded stocks

Examples: Bond funds, investment accounts with brokerage firms, money market accounts

No

Yes.....

Institution or issuer name:

19. Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture	Name of entity:	% of ownership:
<input checked="" type="checkbox"/> Yes. Give specific information about them.....	SpotMouth LLC dba The Clement	

Value \$250,000.00
Market value determined by appraisal of 216
West 9th Avenue
Tarentum, PA 15084 performed in September
2017.

The liabilities of the LLC are greater than the debts, between mortgage loans, credit card, property taxes, and other tax debts. Therefore, the LLC has no value.

100	%	\$0.00
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Debtor 1 Phillip C. Rhodes
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AP Rhodes, LLC fdba Color Me Mine <u>No longer operating.</u>	100	%	\$0.00
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20. Government and corporate bonds and other negotiable and non-negotiable instruments

Negotiable instruments include personal checks, cashiers' checks, promissory notes, and money orders.
Non-negotiable instruments are those you cannot transfer to someone by signing or delivering them.

 No Yes. Give specific information about them

Issuer name:

21. Retirement or pension accounts

Examples: Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans

 No Yes. List each account separately.

Type of account:

Institution name:

IRA	Merrill Lynch	\$2,489.00
403(b) and 401(a)	Vanguard Rand corporation Retirement	\$121,160.00
Pension	Alcoa	\$0.00

22. Security deposits and prepayments

Your share of all unused deposits you have made so that you may continue service or use from a company

Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others

 No Yes.

Institution name or individual:

23. Annuities (A contract for a periodic payment of money to you, either for life or for a number of years) No Yes..... Issuer name and description.**24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.**

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

 No Yes.....

Institution name and description. Separately file the records of any interests.11 U.S.C. § 521(c):

25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit No Yes. Give specific information about them...**26. Patents, copyrights, trademarks, trade secrets, and other intellectual property**

Examples: Internet domain names, websites, proceeds from royalties and licensing agreements

 No Yes. Give specific information about them...

Trademark Epic Cat Fort.com no value	\$0.00
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27. Licenses, franchises, and other general intangibles

Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses

 No Yes. Give specific information about them...**Money or property owed to you?****Current value of the portion you own?**

Debtor 1 **Phillip C. Rhodes**
 Debtor 2 **Allison M. Rhodes**

Case number (if known) **19-24823**

Do not deduct secured
claims or exemptions.

28. Tax refunds owed to you

No
 Yes. Give specific information about them, including whether you already filed the returns and the tax years.....

2018 Tax Refund	Federal	\$3,000.00
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29. Family support

Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement

No
 Yes. Give specific information.....

30. Other amounts someone owes you

Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else

No
 Yes. Give specific information..

31. Interests in insurance policies

Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance

No
 Yes. Name the insurance company of each policy and list its value.
 Company name: _____

Beneficiary: _____

Surrender or refund
value: _____

32. Any interest in property that is due you from someone who has died

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

No
 Yes. Give specific information..

33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment

Examples: Accidents, employment disputes, insurance claims, or rights to sue

No
 Yes. Describe each claim.....

34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims

No
 Yes. Describe each claim.....

Phillip Rhodes v. Ralph Dietrick Judgment in the amount of \$938.70. Debtors do not believe judgment is collectable.	\$0.00
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Phillip Rhodes v. Ironmountain Electric/Clete Isenberg Judgment in the amount of \$859.58. Debtors do not believe judgment is collectable.	\$0.00
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Debtor 1 **Phillip C. Rhodes**
Debtor 2 **Allison M. Rhodes**

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35. Any financial assets you did not already list

No
 Yes. Give specific information..

36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here.....

\$130,352.00

Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.

37. Do you own or have any legal or equitable interest in any business-related property?

No. Go to Part 6.
 Yes. Go to line 38.

Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.
If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?

No. Go to Part 7.
 Yes. Go to line 47.

Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above

53. Do you have other property of any kind you did not already list?

Examples: Season tickets, country club membership

No
 Yes. Give specific information.....

54. Add the dollar value of all of your entries from Part 7. Write that number here

\$0.00

Part 8: List the Totals of Each Part of this Form

55. Part 1: Total real estate, line 2	\$370,000.00
56. Part 2: Total vehicles, line 5	\$7,637.00	
57. Part 3: Total personal and household items, line 15	\$11,200.00	
58. Part 4: Total financial assets, line 36	\$130,352.00	
59. Part 5: Total business-related property, line 45	\$0.00	
60. Part 6: Total farm- and fishing-related property, line 52	\$0.00	
61. Part 7: Total other property not listed, line 54	+ \$0.00	
62. Total personal property. Add lines 56 through 61...	\$149,189.00	Copy personal property total \$149,189.00
63. Total of all property on Schedule A/B. Add line 55 + line 62		\$519,189.00

Fill in this information to identify your case:

Debtor 1	Phillip C. Rhodes		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse if, filing)	Allison M. Rhodes		
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	WESTERN DISTRICT OF PENNSYLVANIA		
Case number (if known)	19-24823		

Check if this is an amended filing

Official Form 106C

Schedule C: The Property You Claim as Exempt

4/19

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

Part 1: Identify the Property You Claim as Exempt

1. Which set of exemptions are you claiming? Check one only, even if your spouse is filing with you.

You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)
 You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.

Brief description of the property and line on <i>Schedule A/B</i> that lists this property	Current value of the portion you own	Amount of the exemption you claim	Specific laws that allow exemption
1434 Greystone Drive Pittsburgh, PA 15206 Allegheny County Debtors acquired the property by deed in 2000. Line from <i>Schedule A/B</i> : 1.1	\$370,000.00	<input checked="" type="checkbox"/> \$50,300.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(1)
2012 Mazda 3 100,000 miles Location: 1434 Greystone Drive, Pittsburgh PA 15206 Value determined by NADA listing Line from <i>Schedule A/B</i> : 3.1	\$3,100.00	<input checked="" type="checkbox"/> \$3,100.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(2)
2012 FIAT 500 40,000 miles Location: 1434 Greystone Drive, Pittsburgh PA 15206 Value determined by NADA listing Line from <i>Schedule A/B</i> : 3.2	\$4,537.00	<input checked="" type="checkbox"/> \$4,000.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(2)
2012 FIAT 500 40,000 miles Location: 1434 Greystone Drive, Pittsburgh PA 15206 Value determined by NADA listing Line from <i>Schedule A/B</i> : 3.2	\$4,537.00	<input checked="" type="checkbox"/> \$537.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(5)

Debtor 1 Phillip C. Rhodes
Debtor 2 Allison M. Rhodes

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Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own Copy the value from Schedule A/B	Amount of the exemption you claim Check only one box for each exemption.	Specific laws that allow exemption
Normal household goods and furnishings Summary available upon request Location: 1434 Greystone Drive, Pittsburgh PA 15206 Line from Schedule A/B: 6.1	\$2,000.00	<input checked="" type="checkbox"/> \$2,000.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(3)
Electronics Summary available upon request Location: 1434 Greystone Drive, Pittsburgh PA 15206 Line from Schedule A/B: 7.1	\$2,000.00	<input checked="" type="checkbox"/> \$2,000.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(3)
Bicycle Location: 1434 Greystone Drive, Pittsburgh PA 15206 Line from Schedule A/B: 9.1	\$200.00	<input checked="" type="checkbox"/> \$200.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(3)
Gyro Helicopter Location: 1434 Greystone Drive, Pittsburgh PA 15206 Line from Schedule A/B: 9.2	\$3,000.00	<input checked="" type="checkbox"/> \$1,325.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(5)
Clothing Location: 1434 Greystone Drive, Pittsburgh PA 15206 Line from Schedule A/B: 11.1	\$2,000.00	<input checked="" type="checkbox"/> \$2,000.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(3)
Jewelry Location: 1434 Greystone Drive, Pittsburgh PA 15206 Line from Schedule A/B: 12.1	\$2,000.00	<input checked="" type="checkbox"/> \$2,000.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(4)
Cash Line from Schedule A/B: 16.1	\$300.00	<input checked="" type="checkbox"/> \$300.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(5)
Checking: Citizens Bank Line from Schedule A/B: 17.2	\$30.00	<input checked="" type="checkbox"/> \$30.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(5)
Checking: Key Bank Line from Schedule A/B: 17.4	\$55.00	<input checked="" type="checkbox"/> \$55.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(5)
IRA: Merrill Lynch Line from Schedule A/B: 21.1	\$2,489.00	<input checked="" type="checkbox"/> \$2,489.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(12)
403(b) and 401(a): Vanguard Rand corporation Retirement Line from Schedule A/B: 21.2	\$121,160.00	<input checked="" type="checkbox"/> \$121,160.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(12)

Debtor 1 **Phillip C. Rhodes**
 Debtor 2 **Allison M. Rhodes**

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Brief description of the property and line on <i>Schedule A/B</i> that lists this property	Current value of the portion you own	Amount of the exemption you claim	Specific laws that allow exemption
		<i>Check only one box for each exemption.</i>	
Pension: Alcoa Line from <i>Schedule A/B:</i> 21.3	\$0.00	<input checked="" type="checkbox"/> Unknown <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(12)
Federal: 2018 Tax Refund Line from <i>Schedule A/B:</i> 28.1	\$3,000.00	<input checked="" type="checkbox"/> \$403.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(5)

3. Are you claiming a homestead exemption of more than \$170,350?

(Subject to adjustment on 4/01/22 and every 3 years after that for cases filed on or after the date of adjustment.)

No
 Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?
 No
 Yes